

## OFFICE OF ATTORNEY GENERAL

MEMORANDUM

November 25, 1980

[REDACTED]  
ATTORNEY GENERAL

TO Reed Neuman  
FROM Stephen A. Woods  
SUBJECT Cahokia - Dead Creek Investigation

Telephone Conversation  
2 P.M. November 10, 1980  
James D. Tolbird  
Home Phone: (618) 337-4716  
Work Phone: (618) 337-5555

Mr. Tolbird is the Terminal Manager for the Cahokia branch of Rogers Cartage Company Franchise.

The Terminal has been at its present location for ten years. Mr. Tolbird has worked for the company for 26 years. Rogers Cartage Company has 20 or 21 terminals throughout the nation. Mr. Tolbird moved in the area in 1946. Mr. Tolbird gave me a list of the chemicals that his company handles.

acetones  
adhesive glues  
alcohols  
anhydrous ammonia  
antifreeze  
caustic soda  
chemicals n.o.i. (no specific name)  
chlorosulfonic acid  
cleaning compound ingredients  
crude petroleum cleaning compound  
Ethyl acetate  
fatty acids  
formaldehyde  
hydraulic system fluid  
lube oil additives  
muriatic acid  
nitrogen fertilizer solution  
oleum - classified sulfuric acid  
petroleum oil - niobium  
phenol  
phosphoric acid  
plasticizer  
potassium silicate

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propane  
silicate of soda  
cleaning solvents - 66, 66+ and 74  
washing or cleaning compounds  
weed killer - Lasso by Monsanto  
wood preservatives  
zinc sulfate solution

Mr. Tolbird said that the only knowledge he had about chemicals getting into the creek was that he heard about Waggoner cleaning out his trucks and allowing it to get into the ditch. He said Connie Oberts who worked for Waggoner, but now works for Slay Trucking, South Broadway, St. Louis, MO, phone 314/772-6666. He also stated that Mr. Williams was a Waggoner employee who went to Slay. He said some of the chemicals Waggoner handled were not handled by Slay Trucking and not handled by Roger Cartage.

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## OFFICE OF ATTORNEY GENERAL

MEMORANDUM

TYRONE C. FAHNER

[REDACTED]  
ATTORNEY GENERALTO Reed W. NeumanFROM Steve Woods

November 12, 1980

SUBJECT Cahokia InvestigationNovember 10, 1980; 10:00 a.m.; Telephone Conversation  
with H. Waldo Walker

Cahokia Home Phone: (618) 332-0116

Pinckneyville Club House: (618) 357-2746

Mr. Walker was a superintendent for William H. and Nelson Cunduff Construction Company. He had from 3 - 50 men working with him during the 23 years that they did contract work at Monsanto Chemical. They layed concrete and worked with steel in mainly new construction at the plant. He said only one time that they did repair work on the sewer system which went to Monsanto Avenue. He knew nothing about any direct discharge lines running into the creek except for the one at Waggoners. He said Waggoner would wash out trucks inside the building and the drains would carry it directly into the ditch. He did not know anything about the culverts being plugged with concrete or when it might have been done. He was Fire Chief for 6 to 8 years starting in 1960. He had been putting out fires there and had contacted Waggoner on different matters. When I asked if he knew anyone who might be helpful in giving information about the ditch the only name he gave was Lynn Cobb of the Cahokia Village Board. He said to call anytime if we needed to know anything else.

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Reed Neuman requested I contact H. Waldo Walker again and ask him how he knows that Waggoner had a drain pipe running from inside his building to the creek.

1/13/80                    I called Mr. Walker back. He said he saw a pipe  
0:15 a.m. coming out at the ditch and assumed it was coming from  
Waggoner's building. He saw what he believed to be water  
discharging from the pipe.

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## OFFICE OF ATTORNEY GENERAL

MEMORANDUM

November 6, 1980

ATTORNEY GENERAL

TO File

FROM Reed Neuman

SUBJECT Dead Creek - Frank J. Gruber

10/27/80 Today I contacted Frank J. Gruber of Rockwood,  
1:25 p.m. Illinois (681/763-4391). His name was given to me by  
our "Mr. X", at the meeting held 10/23/80 at the Collinsville  
IEPA Office. Supposedly, Mr. Gruber was involved with the  
construction work done at the Monsanto complex to put in  
some interceptor sewers to prevent backups of waste into  
Dead Creek.

I asked Mr. Gruber if he indeed was involved  
with those projects and said that it was his and his  
father's construction company that had the contract  
for the work. The contract itself was actually with the  
City of Sauget, and not with the Monsanto Company. I  
asked him why the City was paying for it, and he said the  
reason it was being done was to relieve overburdens on  
the City's treatment plant.

The project apparently was done 12 to 13 years ago.  
A pump station was installed at the northernmost end of  
Dead Creek, along with an interceptor. The purpose, he  
said, was to "take wastes from Monsanto out of Dead Creek".  
He imagined that meant that there were backups in the  
Monsanto sewer lines and overflowing into Dead Creek. He  
could not specify for me what parts of the Monsanto plant  
complex were connected to the particular sewer line that  
was having the backup problems, and therefore could not  
tell me what kinds of wastes were backing up.

He told me that the engineering work for this  
particular project was done by the Goldenberg Engineering  
firm, on Eighth Street in East St. Louis. (Upon checking,

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I found that no such firm was listed in the East St. Louis phone book either an engineering firm or a contractor. However, it may well be that this Goldenberg is the same Joseph Goldenberg that apparently currently works for Cerro Copper as its chief engineer, and whose name appears on some of the IEPA inspection reports from the mid '70's.) He did not think his father would be able to elaborate for me any further than he had.

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## OFFICE OF ATTORNEY GENERAL

MEMORANDUM

November 6, 1980

[REDACTED]  
ATTORNEY GENERAL

TO File

FROM Reed Neuman

SUBJECT Dead Creek: Carl Stillman

11/27/80  
1:30  
a.m.

Today I called Carl Stillman, of Belleville (618/397-2778), whose name had been mentioned by a number of sources in the Cahokia area as being a likely source of information about Dead Creek. His wife answered to say that he was at work. Apparently Mr. Stillman now works at Union Electric Company and gets off work about 3:30 or 4:00 p.m. She could not answer any of my questions about Mr. Stillman's knowledge of the Dead Creek problem, and said I would have to talk to him.

11:50  
p.m.

My second call to Mr. Stillman found him at home. I asked him about his ownership of land abutting Dead Creek in the area north of Judith Lane and south of Queeny off of Falling Springs Road in Cahokia. He told me his family owned property in that area dating way back, some of which has now been sold or turned over to the family's estates. Most of the Stillman family property was sold to Harold Waggoner. However, part of the Joseph Stillman estate still owns a strip of property in the area, just north of the Walnut Street Subdivision. It was the Fred Stillman estate whose property was sold to Waggoner. I asked Mr. Stillman about the reports I had received that long ago, he had had pollution problems from area industries that had lead him to consider legal actions. He first told me of an instance of damage to his soybean crops, dating back to perhaps the early 1950's, when fumes from the Lewin Metal Company (now Cerro) plant stacks drifted on to his soybean fields and damaged his

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crops. He filed a suit over this matter, which was settled out of court with Lewin. The case was handled by a Belleville attorney named Louis Beasly.

Another instance where he considered legal action arose out of problems in the Creek itself. His property ran to the centr of Dead Creek, and ran laterally for a total area of perhaps an acre or an acre and one-half. Back in the late '40's, as he recalls, he became concerned about materials showing up in the creek bed which apparently were deposited there by the upstream industries. As the owner of one-half of creek in that section, he was upset that his property was being damaged. Apparently the Midwest Rubber Reclaiming Company, located on the west side of Route 3, had a sewer pipe that ran along what is now Queeny Avenue and discharged directly into Dead Creek. Their wastes consisted of a rubbery residue that accumulated in the creek bed. Stillman had reason to believe that Monsanto and Lewin Metals Company were also directly discharging to the creek, from an outlet somewhere under the Alton and Southern Railway tracks, where Dead Creek has its beginning now. He consulted his attorney, Mr. Beasly, about the matter, but apparently dropped the idea of bringing an action because Beasly convinced him that they did not have enough evidence of causation or actual damages to bring suit.

Mr. Stillman suggested that I talk to someone from the Hankins family, who apparently still live on Route 3 in the area, as being people who would have some of the same information. Apparently, the Midwest Rubbert sewer pipe ran right by the Hankins' property, on its way to Dead Creek. I asked Mr. Stillman about where I might find any of the legal materials or documents relating to his earlier legal actions against the industries. Apparently all those materials were kept by Beasly at his office.

(I later tried to contact Mr. Beasly, who is still listed in Sullivan's Legal Directory, but is no longer listed in the East St. Louis area or Belleville area phone books. It seems that Mr. Beasly may be deceased, and it may be very difficult to find any of the evidence or documents pertaining to those long-ago legal matters.)

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## OFFICE OF ATTORNEY GENERAL

MEMORANDUM

November 11, 1980

ATTORNEY GENERAL

TO File

FROM Reed Neuman

SUBJECT Dead Creek: Interview with Gene Britt, Cahokia Volunteer Fire Chief

11/23/80  
1:15 p.m. Today Steve Woods and I were in Cahokia to talk to Gene Britt, current Cahokia Volunteer Fire Department Chief. Mr. Britt has been at that post since the middle of 1972.

We asked Mr. Britt about his experiences as a fire fighter in Cahokia, specifically about any incidents of fires that he was personally involved in in the Dead Creek area. He could not pick out specific instances or dates for us, largely because of the vast numbers of fires that have occurred in Dead Creek. He described them as a regular occurrence, particularly in the summertime when temperatures were high.

He could not give us many details or specifics as to how the materials may have gotten into Dead Creek, and knew little about people dumping or discharging into the Creek. He does know through his training as a firefighter, that most if not all the fires fought in Dead Creek in the stretch between Queeny Avenue and Judith Lane involved something out of the ordinary i.e. chemical substances. His training prepared him for dealing with some of these chemicals, and his studies lead him to believe that the biggest cause of chemical fires in the Creek was the presence of phosphorus. As to specifics of seeing things going into the Creek, he can only remember one time when he and his crew were fighting a fire in the Creek near Judith Lane, and observed some people (unidentified) dumping the contents of barrels into the Creek up near Queeny Avenue, adjacent to the Waggoner facility. He could not recall or did not hear anything identifying the people involved.

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We also asked Mr. Britt about the names of any other people he knows that might be of some help in specifying people responsible for dumping or discharging into Dead Creek. He gave us the names of a couple people, including an H. Waldo Walker, the ex-volunteer Fire Chief in Cahokia. His address is 732 Leon Street, Cahokia, phone number 332-0116. Mr. Walker used to work as a private contractor in the area, and had many dealings with the Monsanto Company for construction work, etc. Mr. Britt suggested Mr. Walker to us both as someone who might know of direct dumping into the Creek through his experiences as a firefighter, and also may know of any direct discharges to the Creek through his construction experiences. Mr. Britt also suggested that we contact Clarence Sauget, 819 Palm Street, Cahokia. Clarence is a cousin to the brothers Paul and Vincent Sauget. Apparently Clarence told Mr. Britt that before the present sewer system was installed in the Village of Sauget, the industries used to discharge either directly or through sewer back-ups into Dead Creek. This goes back as far as the late 1920's, early 1930's, and involved at least the Monsanto Corporation and Lewin Metals Company.

Mr. Britt also suggested that we talk to a Herman Erndle, a long-ago chief of the Cahokia fire department. I told him that I had spoken briefly with Mr. Erndle back on September 24, and had not gotten much out of him. Mr. Britt explained to me that Mr. Erndle, being somewhat elderly and a little distrustful of strangers, probably would not open up to just anybody. Mr. Britt suggested that if I wanted to talk to Mr. Erndle further, that Mr. Britt be there to help prod him. I said I would consider that for some future time.

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